



June 11, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Wayne L. Pushka  
Application No. 09/770,930  
Filed January 26, 2001

Examiner:  
Art Unit: 2152

SYSTEM FOR OPTIMIZING INVESTMENT PERFORMANCE

(Atty. Docket No. 24,757 USA)

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents, Box Missing Parts, Washington, DC 20231 on June 11, 2001.

*Lynn M. White*  
Lynn M. White

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Commissioner of Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

**REPLY TO NOTICE OF MAY 9, 2001  
OF INCOMPLETE REPLY (NONPROVISIONAL APPLICATION)**

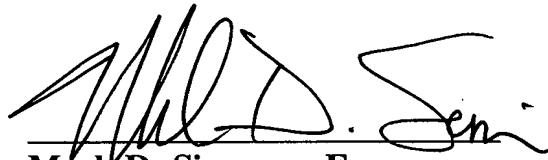
In response to the "Notice of Incomplete Reply (Nonprovisional), dated May 9, 2001, enclosed herewith for filing are eight (8) sheets of substitute drawings in compliance with 37 CFR §1.84., and a copy of the Notice.

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Enclosed also is a Petition for extending the time to reply to the Notice for one month from the date of the original Notice to File Missing Parts, dated March 13, 2001, from May 13, 2001 to June 13, 2001 and a check in the amount of \$55.00 to cover the extension fee. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-5425. A copy of this Reply is enclosed for charging purposes.

Respectfully submitted,



**Mark D. Simpson, Esq.**  
Registration No. 32,942

SYNNESTVEDT & LECHNER LLP  
Suite 2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107  
(215) 923-4466

M:\MSimpson\Donahue Ernst\24757 USA\Patent Office\reply to notice of incomplete reply.wpd



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,930	01/26/2001	Wayne L. Pushka	24,757 USA

**CONFIRMATION NO. 8224**

**FORMALITIES LETTER**



\*OC000000006059726\*

Mark D. Simpson, Esq.  
SYNNESTVEDT & LECHNER LLP  
Suite 2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

Date Mailed: 05/09/2001

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may,however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a)accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

*MM*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE